

Hoboken, New Jersey, January 13, 2005

A Meeting of the Hoboken Planning Board Subdivision & Site Plan Committee was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Vice Chairman Monaco called the meeting to order at 7:03 p.m. and noted for the record that the provisions of the Open Public Meetings Act were complied with.

ROLL CALL:

Present: Vice Chairman Monaco, Mr. Detrizio, Mr. Forrest.

Also present were Erin Kurowicki, Esq., Board Attorney, Eileen Banyra, Planner and Gary Lines, Board Engineer.

Ms. DePalma declared a quorum present.

720 MONROE STREET

Joseph P. Daley (Weiner & Lesniak) appearing on behalf of applicant Monroe Center Development, LLC indicated that they were appearing for Phases 3, 4 and 5 and are ready to address several outstanding issues. The Certification of Taxes was paid and filed with the application, the bonds are about to be posted in the amount agreed to by the engineer, Phase 2 is about to begin; a letter can be obtained from PS&S about the minor changes on the Site Plan; correspondence had previously been forwarded to Ms. DePalma, who acknowledged that someone would advise on the status of the escrows.

Ms. Banyra indicated that the new plan renderings and architecture will be reviewed for the conditions of approval after the bonding has been evaluated.

Bill Hoda (137 Brookcrest Avenue, White Plains, NY) (Managing Member) gave an oral presentation describing the B group of buildings which will be located west of Jackson Street between 7th and 8th Streets. He indicated that the rendering will show the reduction of the proposed stories and color coded versions will be presented of the 5-story structure.

Ms. Banyra indicated that a review had been made for completeness and it appeared that the remaining minor items were engineering related and a meeting with the engineer should be scheduled to discuss the dollars and cents of the completed project. Mr. Daley indicated that the bonds had been posted for Phases 1 and 2 and the money would not be released until they were all completed. It was also noted that an extension of time was granted previously until May 31st to obtain a preliminary approval to comply with the conditions.

Discussion by the Board agreed that a review of the application could be done before the next meeting and it could be scheduled for the next meeting.

Motion made by Mr. Detrizio to schedule the application for hearing at the February 1, 2005 meeting, seconded by Mr. Forrest.

251-10TH STREET

Anilkuman Avutu appearing on behalf of Cellular Telephone Company, who is requesting an application to place twelve antennas and one GPS antenna on the roof of an existing building. A set back and minor site plan approval are being sought.

Ms. Banyra noted that this matter has been under review for several months and the recently provided mapping and priority placement of the antennas is now in compliance with the requirements for completeness and does not require variances to cover the requested set back or the antenna height. This project is in an R-1 district and the Town has 9 different priority sites for applications for cell towers and this area is number 8 out of nine which means that it is in an area that the Town would not like to have cell antennas. Testimony will be required from the applicant as to why it is necessary to have cell towers in this area. It was requested that the applicant look into shielding the antennas with coloration.

Ms. Kurowicki engaged Ms. Banyra as to the applicants continued request for the variance set back. Ms. Banyra stated that her review found the variance unnecessary and encouraged the applicant to provide research information for further review.

Discussion by the Board was to have this matter presented at the February 1st meeting.

Motion made by Vice Chairman Monaco to place this matter on the agenda for the February 1st meeting. There was a unanimous vote by the Board.

1500 Hudson Street

Mr. Monaco indicated that the applicant made a request for postponement until the next meeting of the Site Plan Committee which will be held on February 10th.

Motion to adjourn meeting made by Vice Chairman Monaco. There was a unanimous vote by the Board.

ADJOURNMENT:

There being no further business to attend to, this meeting adjourned at this time: 7:25 p.m.

Respectfully submitted,

AudioEdge Transcription, LLC

MATTHEW D. HOFFMAN
Manager

MH:mcm

A Meeting of the Hoboken Planning Board Subdivision and Site Plan Committee was held on the above date in the Conference Room of City Hall, Hoboken, New Jersey. The meeting was called to order at 7:08 p.m.

ROLL CALL:

Present: Mr. DeTrizio, Mr. Forrest,

Also present: Erin Kurowicki, Board Attorney, Elizabeth Vandor, Board Planner.

1500 HUDSON STREET/COVE

Mr. Glenn S. Pantel is the attorney for B.D.L.J. Associates LLC/Toll Brothers.

Mr. Pantel explained that the proposed area was originally approved as retail space. It is now unused office space and they are seeking de minimus changes at this time, turning it into a residential common area.

Ms. Vandor expressed her concern about making the walkways in this area as public as possible. She went on to state that this will potentially have more activity as more people will then be in the area.

Mr. Christopher Cowan, an architect, explained the plans and drawings. He would like to incorporate a subtle curve around the corner. This would allow people to see more easily around the corner, as opposed to a sharp corner that is normally used. He also suggested changing the paving pattern in the esplanade and cutting down the hedges to about two feet high. He felt these changes would open up the corner more making it more inviting.

Ms. Vandor spoke about the bench that Mr. Cowan mentioned and stated that she thinks it is a good idea. That the people will use it as a public bench and not think that it is private.

Mr. Forrest stated that he does not agree with putting in the bench. He expressed concern about the privacy of the people living on the ground level. He stated that he would be more comfortable if this were put before the full Board.

Mr. Forrest questioned how the view will be when looking through the windows in the common area. He wondered if the public will think they are looking into someone's apartment.

Mr. Pantel explained that this is a common area where there will be couches, chairs and tables, card tables, perhaps a pool table, an area with a television,

and maybe a club room. It would not be confused with being someone's living room or apartment. It would look more like a hotel lobby than a living room.

Mr. Cowan explained that there is a challenge making it accessible for the disabled coming from the esplanade because of the amount of steps. Installing ramps would be difficult because there isn't much space to work with.

Ms. Vandor inquired about the exterior changes that could be put into place so that the rest of the facade is less private looking. There was a problem with FEMA regulations when the building was originally approved. She also asked if there is something that can be done to balance the regulations to make this area more public.

Mr. Forrest had concerns about the safety issue. He commented on how the people in the ground floor apartments must feel as far as safety is concerned. He also stated that looking away from the building there is a very nice view of the waterway.

Mr. Cowan and Ms. Vandor discussed the installation of awnings to help block direct sunlight into the windows. This way the people inside would not feel the need to close the blinds and people on the street could look in and see that it is a common area.

Ms. Vandor stated that the objective here is to make the public aware that this is for public use. To give it an inviting feeling so that the public is comfortable in using this area. She also commented on the fact that this area faces New York, and that perhaps, some sort of signs could be put in to indicate information on what is being seen on the other side of the river.

Mr. Forrest did not feel that it would be clear to the public the way the project is being presented at this time.

Ms. Fineley stated that a physical separation between public and private space is trying to be created. She asked if it would be a good idea to perhaps, put vertical banners along the Bay area.

Ms. Fineley stated the fact of putting in a wrought iron fence on the other walkway side of the hedges. In answer, Ms. Vandor stated that there is a separation now in this area with the hedges.

The parties were in agreement that a separation of either some sort of fencing or hedge would be necessary. Mr. Forrest asked that a computer-generated plan be prepared to present to the Board at a future meeting.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:16 p.m.

Respectfully submitted,
AudioEdge Transcription

MATTHEW D. HOFFMAN
Manager of AudioEdge

MDH/da

Hoboken, New Jersey, March 10, 2005

The regular meeting of the Hoboken Planning Board, Subdivision and Site Plan Committee, was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Mr. Forrest called the meeting to order at 7:00 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

ROLL CALL:

Present: Mr. DeTrizio, Mr. Forest.

Absent: Chairman Monaco.

Also present were: Erin Kurowicki, Esq., Board Attorney, Eileen Banyra, Board Planner, Glen Lines, Board Engineer and Cathy DePalma, Secretary to Planning Board.

1200-1222 GRAND STREET

John J. Curley, Esq. appeared on behalf of the applicant.

Ms. Banyra stated that the Final Site Plan Application was complete. The applicant encountered problems installing the original stoops, requiring modifications to be made. Ms. Banyra advised the applicant would have to review the changes at Final Site Plan Approval. Further, the issue of closing off corridors has not been resolved yet with the Fire Department and construction officials. Construction has begun on the project and the corridor has been opened up.

Ms. Banyra discussed the recently adopted "pay to play" ordinance, requiring a disclosure statement from all of the applicant's professionals. This item must be completed in order to go forward and should be received ten days prior to the final hearing.

Mr. Forrest noted that the project is not yet complete. Facade work needs to be finished and the sidewalks are not done. Mr. Curley discussed the changes to the ordinance, which now requires Preliminary Site Plan Approval, Final Site Plan Approval and then a building permit. The completion review is done through the building permit. The ordinance changed during the pendency of this application, after they received Preliminary Approval and the building permits. Mr. Curley stated that the Board Attorney had previously advised that Final would be done along the way and then the completion review would be done by the Building Department.

Mr. DeTrizio asked if they should fall under the old ordinance, whereby the applicants receive Final Site Plan Approval after the project is complete. Mr. Lines informed that the changes were made to bring the procedures in Hoboken in concert with statewide procedures under the MLUL.

Mr. Forrest asked about the Final Site Plan procedure and oversight. Ms. Banyra and Mr. Lines discussed the procedure for granting Final Site Plan Approval. Mr. Forrest recommended that the Board Engineer oversee the project to the end. Mr. Lines suggested that the applicant bond for any items that are not complete. This would allow the applicant to get the CO's, while the Board has assurance that the items will be completed. Ms. Banyra stated that the bond could be reduced as items are completed.

The matter was carried to the May 3 meeting. Mr. Curley advised that they would have the required political contribution forms ten days prior to the hearing.

For the next meeting, Ms. Banyra advised that the applicant would be expected to discuss the deletion of windows along the base of the building, activity points and why the perpendicular stairway could not be included. Mr. Curley stated that the stairway design had to be reconfigured otherwise there would have been too many steps going into the public right of way.

801-803 ADAMS STREET

Gail Allyn, Esq. appeared on behalf of the applicant.

Ms. Banyra reviewed the comments contained in her report. The application has been deemed incomplete. Ms. Banyra explained that there are checklists for both site plan applications and wireless applications. Most of the incomplete items relate to the wireless ordinance. Ms. Banyra requested that Ms. Allyn contact her office to obtain a copy of an updated map of wireless locations.

Mr. Forrest inquired about the inspection of the wireless sites. Ms. Banyra explained that the Board has retained an RF expert to test the sites prior to approval. Mr. Lines informed that the structural items would be addressed by the construction and zoning officials. Mr. Forrest pointed out that there have been problems with stealthing at other wireless sites. Mr. Lines noted that a condition of the resolution could be that the planner does a final inspection of the building for zoning prior to the issuance of a CO.

Ms. Banyra requested that the applicant address the standard site plan checklist, as well as the wireless checklist. Further, any waivers must be specifically requested. Ms. Banyra asked that the applicant's professional find out if a coverage variance is necessary. The applicant must comply with design criteria in the wireless ordinance, and the materials and equipment must be provided to the Board. Edward Cankosyan confirmed that the wiring and conduits are located inside the building.

Ms. Banyra reviewed with the applicant's counsel the issues that they should be prepared to address at the next work session in April and informed that the recently adopted contribution disclosure statement must be also be provided.

ADJOURNMENT:

There being no further business to attend to, this meeting adjourned at 8:07 p.m.

Respectfully submitted,

AudioEdge Transcription

Matthew D. Hoffman
Manager of AudioEdge

The regular meeting of the Hoboken Subdivision & Site Plan Committee was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Mr. Monaco called the meeting to order at 7:00 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

ROLL CALL:

Present: Mr. Monaco, Mr. DeTrizio, Mr. Forrest.

Also present were: Erin Kurowicki, Esq., Board Attorney, Eileen Banyra, Board Planner and Chaz Holloway, Board Engineer.

801-803 ADAMS STREET

Anilkumar Avutu, Esq. appeared on behalf of Cingular. Mr. Avutu responded to comments in Ms. Banyra's letter and stated that the applicant would be seeking a waiver for certain items.

Ms. Banyra stated that the application is essentially complete, except for the disclosure form. Mr. DeTrizio suggested that the applicant provide the information at least 15 days prior to the full board meeting in June.

The application was deemed conditionally complete, subject to receipt of the disclosure form, and scheduled for the June 7 meeting.

1000 JEFFERSON STREET

John Curley, Esq. appeared on behalf of the applicant for Final Site Plan Approval. Mr. Curley addressed the issues raised in the planner's report. They are prepared to reduce the height of the parapet to 71 feet 6 inches, requiring only a C variance, rather than a D variance.

Bruce Englebach stated that the reason they went higher was to have a center on the building. He discussed revisions that could be made to the project to better comply with the height ordinance.

Ms. Banyra explained that the ordinance specifically excludes parapets under 5 feet. Once they go higher, a D variance is triggered for building height. Ms. Banyra suggested that the Board accept reducing it to a C variance.

Mr. DeTrizio liked the design of the original drawings and asked if the same look could be achieved with the C variance. Mr. Englebach believed this could be done.

Responding to inquiries from Mr. Forrest and Mr. DeTrizio, Mr. Englebach discussed the facade materials and problems encountered with the stoop designs. He stated that moving three risers into the building would still

create an overage, square footage would be lost in an apartment and it would create problems in the garage. Mr. Curley noted that they attempted to come before the Board to amend the stoop plans but, due to scheduling difficulties, the applicant was advised to do the amendment in conjunction with the final.

Mr. Englebach reviewed the modified dimensions of the stoops and the different styles that will be used. Mr. Holloway and Ms. Banyra discussed the various spot elevations along the project and the required base flood elevations and setbacks. Ms. Banyra noted the Board's preference for stoops with a longer perpendicular section.

Ms. Banyra stated that the application was essentially complete. Variances are needed for the parafit and activity point spacing every ten feet along the base. Mr. Englebach believed that the activity points could be revised. Ms. Banyra noted that a disclosure form was also required prior to the hearing and Mr. Monaco requested color renderings of the elevations.

A completeness review was scheduled for the June 9 work session.

ADJOURNMENT:

There being no further business to attend to, this meeting adjourned at 8:08 p.m.

Respectfully submitted,

AudioEdge Transcription

Matthew Hoffman
Manager of AudioEdge

Hoboken, New Jersey, July 14, 2005

The regular meeting of the Subdivision & Site Plan Committee was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Vice-Chairman Monaco called the meeting to order at 7:00 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

ROLL CALL:

Present: Vice-Chairman Monaco, Mr. DeTrizio, Mr. Camarrano.

Also present were: Clifford Gibbons, Esq., Board Attorney, Eileen Banyra, Board Planner, Kerry Sheldon, Board Planner, Chaz Holloway, Board Engineer, Andrew Hipolit, Board Engineer, and Cathy DePalma, Secretary to the Committee.

**619-632 ADAMS STREET
60-632 GRAND STREET**

Dean Marchetto, architect, appeared for the applicant. Mr. Marchetto explained the project is a two building residential structure on the corner of Adams and Grand. The applicant is requesting *de minimus* changes to the original site plan. After reorganizing the interior, the applicant requests a decrease of dwelling units from 42 to 40 on Adams, and an increase from 8 to 10 on Grand. This reorganization also calls for a shift in the placement of the bay windows.

In addition, PSE&G will not allow the transformer to be placed underground. Mr. Marchetto proposed that the transformer be located in the rear yard. Ms. Banyra requested that the applicant provide documentation regarding PSE&G's refusal.

Mr. Marchetto proposed adding four balconies in the rear yard. This would increase lot coverage from 60% to 61%, thereby triggering a variance. He requested the Board's guidance regarding the addition of the balconies and variance request. Mr. Gibbons noted that the variance would subject the project to the new ordinance and require a full hearing and public notice. He inquired if the applicant would be willing to withdraw this request. After discussion with the Board, Mr. Marchetto decided that the balconies would be removed.

A motion by Mr. Monaco to accept the *de minimus* change was adopted by unanimous vote.

1200-1222 GRAND STREET

John J. Curley, Esq. appeared on behalf of the applicant for Final Site Plan Approval.

Bruce Englebaugh was sworn and reviewed the changes to the application. He testified that the zoning compliance table has been modified and the FAR number has increased from 3.25 to 3.27 due to a calculation error. The stoops in the final site plan have also been corrected.

Mr. Monaco inquired about the masonry and Mr. Englebaugh presented photos to the Board. Ms. Banyra asked about the activity points. Mr. Curley responded that a variance was requested. If the request is denied, the applicant is prepared to add a substitute for the required window. Mr. Curley advised that the disclosure forms have been submitted and that he would check on the status of the application fees. Mr. Holloway requested that the applicant respond to the itemized list in his memo.

The matter was scheduled for the July 27 full Board meeting.

1000 JEFFERSON STREET

John J. Curley, Esq. appeared on behalf of the applicant. He noted the application was deemed substantially complete in May, other than for disclosure statements, which have since been filed.

Mr. Curley explained that there had been discussion about the need for height variances for the parapets. Mr. Englebaugh, architect, stated that the parapets were brought in line with the height limitation and opined that there would be no detriment to the building's esthetics. Ms. Banyra asked about the ten foot activity points. Mr. Englebaugh represented that the issue would be accommodated.

Mr. DeTrizio found the building's top plain and unattractive at the mid-section. He requested the architect bring in another design. Mr. Englebaugh responded that he would address this issue. Mr. Monaco requested a color rendering of the building.

The matter was scheduled to be brought back before the Subcommittee on August 11 to give the Board's experts an opportunity to review the revised plans.

Peter Camarrano recused himself from 1500 Bloomfield Street and Maxwell Place on the Hudson matters.

1500 BLOOMFIELD STREET/2A-2B-2D and SECTION 5A.

Glen Pantel, Esq. appeared on behalf of the applicant for Final Site Plan Approval for 2A-2B-2D and Amended Preliminary and Final Site Plan Approval for Section 5A.

2A-2B-2D refers to the first residential building in the project. The number of units has been reduced from 180 to 118, with a corresponding increase in average size from 1,100 square feet to 1,700. For Section 5A, the applicant is proposing increasing the height from two to six stories to allow for additional commercial and office space. This would add an additional 7,000 square feet. Mr. Pantel advised that the streets within the project were opened in a timely fashion.

Mr. Gibbons reminded the applicant's experts that they remained under oath. Richard Blinder, architect, testified that the residential building has been enriched from the original proposal. Both the east and west sides will be front elevations, mirroring each other. The density has been substantially reduced from 180 to 118, while increasing the size of the units from 1,100 square

feet to 1,700 square feet. Mr. Blinder reviewed the architectural detail of the project's facade.

Mr. Monaco inquired about the building's appearance and height prior to the modifications. Mr. Blinder explained that project was red brick without detail. The height has remained the same. Mr. Blinder stated that the building was massive and lacked character. They worked to add scale and detail to the structure.

Mr. Monaco requested that Mr. Blinder bring the original drawings when he returned before the full Board. Ms. Banyra noted that the changes would be significant as the applicant was retrofitting a plain, existing building.

Mr. Blinder updated the previously submitted context diagram of the zoning district. The diagram showed approved building heights, types of surrounding structures and how the project fits in with the context of the community. He asserted that the addition of the six story commercial building was a better transition than the two story. The office space will be used as the headquarters for the developer, Toll Brothers. The total retail/commercial/office space has been increased by about 10,000 square feet.

Section 5A will be a 73 foot, six story structure. Mr. Blinder testified that this was in context with the neighborhood. He noted that the floor to floor heights are somewhat higher in commercial buildings than residential. It will appear to be a five story building with a setback penthouse. The residential building is approximately 80-85 feet tall.

Ms. Banyra and Mr. Hipolit agreed that 2A-2B-2D was complete. As to Section 5A, there have been significant changes to the architecture. The Board's experts recommended that this section be deemed incomplete until they have had the opportunity to review the changes.

Section 2A-2B-2D was scheduled before the full Board on August 2. Section 5A was deemed incomplete and scheduled for the next Subcommittee meeting on August 11.

A short recess was taken

ROLL CALL:

Present: Vice-Chairman Monaco, Mr. DeTrizio.

800 JACKSON STREET

James Burke, Esq. appeared on behalf of the applicant.

Dean Marchetto, architect, was sworn before the Board. Mr. Marchetto summarized the changes to the project. It was designed as a community-oriented building and to never go over the height of the Palisades. The lot coverage has been reduced, with the remaining space to be used as a community park. To make room for the 12,000 square foot park, the building was moved into the corner, thereby incurring variances for yard and setback.

The building responds to pedestrian activity on the sides facing both Jackson Street and the light rail. The ground level is made of glass, allowing pedestrians to see from one side to the other. Responding to inquiries from the Subcommittee, Mr. Marchetto discussed access to the light rail station. In addition, the building will contain a pedestrian-accessible green roof.

Mr. Marchetto did not anticipate any flooding issues with the below grade parking. Further, they have attempted to continue the green belt from Monroe Center. Mr. Monaco commented that weeds would grow through the proposed pavers. Mr. Marchetto noted that the pavers are above the garage, but that he would consider an alternative.

Ms. Banyra noted that many of the variances are related to the unusual shape of the property, but they will still be required to present testimony and proofs for the variances. Ms. Banyra stated that several items were still outstanding. Mr. Holloway requested an engineering plan showing the grading, drainage, connections and handicapped spots.

After discussing a schedule for the submission of the outstanding items, the application was scheduled before the full Board on August 2.

MAXWELL PLACE ON THE HUDSON

Mr. Monaco recused himself from the hearing. Michael Rothpletz, Esq. appeared on behalf of the applicant. Mr. Rothpletz stated that he received a supplemental planning memo containing issues which needed to be discussed amongst the professionals. He requested that the hearing be deferred until after a meeting is scheduled. The matter was rescheduled before the Subcommittee on August 11.

ADJOURNMENT:

There being no further business to attend to, this meeting adjourned at 9:06 p.m.

Respectfully submitted,

AudioEdge Transcription, LLC

Matthew D. Hoffman
Manager of AudioEdge

MDH/jar

Hoboken, New Jersey, September 8, 2005

A Meeting of the Hoboken Planning Board Subdivision & Site Plan Committee was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Vice-Chairman Monaco called the meeting to order at 7:05 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with.

ROLL CALL:

Present: Vice-Chairman Monaco, Mr. DeTrizio.

Absent: Mr. Peluso, Ms. Falco, Mr. Forrest.

Also present were: Ms. Fox; Glenn Lines, Board Engineer, Ann Brown, Cathy DePalma, Secretary to the Planning Board, Kerri Sheldon and Michael Field.

Ms. DePalma declared a quorum present.

223 CLINTON STREET

Robert C. Matule, Esq. appeared on behalf of the applicant Paraic Monaghan. He addressed an issue raised at the last meeting by Ms. Banyra that the survey did not show a deck, subsequently the Applicant sent in survey showing the deck. The 200 foot list was provide to Mr. Minervini's office and was affixed to the first page of the print. Mr. Minervini was delayed at another meeting and was not able to attend. Mr. Matule did not have the drawings for the rear façade elevation and would provide them prior to the next meeting. Mr. Matule asked to be place on the October calendar.

Ms. Sheldon requested the plans be submitted so they have time to review them before the next meeting.

Vice Chairman Monaco informed the Board that the primary issue was the jurisdictional issue of the campaign disclosure forms being filed and they have been filed and the corrected survey has been filed. Mr. Matule will send the plans to the Board Engineer.

Discussion by the Board agreed that it could be scheduled for the next meeting.

Motion made by Mr. Detrizio to schedule the application for hearing at the October 4, 2005 meeting. There was a unanimous vote by the Board.

1215-1219 WILLOW AVENUE

Judith A. Babinski, Esq. appeared on behalf of New Cingular Wireless, PCS, LLC. The outstanding items, the Site Plan and Application were supplied. Ms. DePalma asked for a clarification on the address of the application; Ms. Babinski informed the Board that the correct address is 1203-1219 Willow Avenue; the Board received a revised application on September 1st.

Ms. Sheldon indicated to the Applicant that they were asking for variances that were not needed.

Mr. Sherer indicated that the location of the tower which is for a number of buildings, the tower will be placed on the fourth building; the antennas will be placed on the second building with the equipment room in the fourth building. Antennas will be placed on the front of the building concealed in a mock chimney that will be facing the westerly side of the building. The equipment is going to be on the easterly side of the second building from there in the basement.

Ms. Sheldon indicated that this was a good application with unanimous agreement.

Vice Chairman Monaco indicated the application is complete and for 1203-1219 Willow for review of the full Board on October 4, 2005. There was a unanimous vote by the Board.

409 FIRST STREET

Judith Babinski, Esq. appeared on behalf of New Cingular Wireless. All information requested was submitted.

Discussion was had about where the antennas would be placed and how high they were. The highest one would be nine feet on the top of the building. Sector A and B are relatively high. They are in the front. There is a parapet that stands approximately three feet in height, eight feet above the foot deck and five feet above the parapet setback. The reason for the height is they have to clear the parapet to get reception. They are all at the same elevation.

Vice Chairman Monaco discussed that he didn't want to see a cluster of antennas like in the 1950s.

Ms. Babinski informed them that for the hearing they could come in with possible alternatives; Mr. Scher concurred. Vice Chairman Monaco indicated that they're trying to conceal these things for aesthetic purposes and from the way it looks on the drawings it will be difficult. Ms. Babinski indicated that there were no chimneys like the next building. They are looking at

different ways to put the antennas.

Discussion was had about where this falls in ordinance of priority. The other area of concern with this application was the equipment in the rear yard, whether it was in the rear or the basement, which is something that the ordinance does not permit. Ms. DePalma pointed this out.

Vice Chairman Monaco indicated if the application is complete, we'll try to send it to the full board, and indicated to get creative because of the ordinance.

Motion made by Vice Chairman Monaco to place this matter on the agenda for the full board on October 4, 2005.

70 HUDSON STREET

Judy Babinski, Esq. appeared on behalf of New Cingular.

Vice Chairman Monaco indicated that the reports and everything was deemed complete and the matter was put on for review of the full board on October 4, 2005.

ADJOURNMENT:

There being no further business to attend to, this meeting adjourned at 7:28 p.m.

Respectfully submitted,

AudioEdge Transcription

Matthew D. Hoffman
Manager of AudioEdge

MDH/kfj

Hoboken, New Jersey, October 13, 2005

The regular meeting of the Hoboken Subdivision and Site Plan Committee was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Vice-Chairman Monaco called the meeting to order at 7:02 p.m. and stated that the provisions of the Open Public Meetings Act have been complied with:

ROLL CALL:

Present: Vice-Chairman Monaco, Mr. DeTrizio, Mr. Forrest.

Absent: Mr. Cammarano.

Also present were: Chas Holloway, Michael Butler, and Cathy DePalma.

**THE GORMAN PROJECT
1320-22 ADAMS STREET
1321-31 JEFFERSON STREET
451-57 14TH STREET**

Richard Venino, Esq. appeared on behalf of the applicant. Mr. Venino stated that the proposal is a large scale retail complex. One variance is requested for an undersized lot of 30,000 square feet where 40,000 square feet are required. The building is pushed to the rear to maximize parking. The building front will be located on 14th Street with loading in the back.

Mr. Holloway stated that an issue arose in his discussions with Ms. Banyra whether an additional variance was required for the loading dock. Mr. Venino stated that the loading dock dimensions would be conformed to the ordinance requirements thereby eliminating the need for a variance.

Mr. DeTrizio asked about the anticipated types of retail. Mr. Venino expected stores such as a drug store or deli. Mr. DeTrizio noted a need for additional convenience stores and restaurants in the northwest area.

Vice-Chairman announced that Mr. Forrest joined the meeting.

Mr. Holloway informed that a recommendation was made by the planner to create the appearance of a second story. The Committee discussed the base flood elevation in the area and Mr. Holloway requested that the mechanical equipment be placed above the base flood elevation. Mr. Holloway stated that he would deem the application complete as long as the revised loading dock plans were submitted within a week.

Mr. Forrest asked about the placement of the transformer. Mr. Missey stated that it was curbside and would be screened with landscaping. He stated that PSE&G would not allow it to be placed underground. Mr. Forrest commented that the transformers have been placed underground in numerous applications. Mr. DeTrizio asked if a letter had been provided by PSE&G.

Mr. Forrest commented that there should be an actual second floor, rather than just giving the appearance of a second floor. Mr. Venino explained that prospective tenants were afraid that second floor office space would take away too many parking spaces from customers. Mr. Holloway recommended that the applicant contact Ms. Banyra or Ms. Vantor for examples of faux second floors. Mr. Forrest asserted that there was a need for additional retail space.

Mr. Forrest inquired if the additional comments of the Board Planner had been addressed. Mr. Holloway stated that the details regarding items such as landscaping, facade treatments and setback would be discussed before the full Board. Mr. Venino stated that the refuse area would be addressed in the revised architectural plans. Also, a description of the facade materials, compliance table and sign details will be submitted.

Mr. Forrest asked about restoration of the cobblestones and improvements to the area under the viaduct. The Board members discussed the requirements for builder contributions to the restoration.

Mr. Monaco inquired about the facade and keeping it in character with Hoboken. George Johns, applicant's architect, discussed the percentage of glass to brick and stone areas on the facade. Mr. Johns believed that the facade met the spirit of the ordinance.

Mike Gorman stated that several businesses expressed an interest in the space, including banks, a high-end liquor store, ice cream shop and convenience stores. They would not agree to the upstairs space because they believed there would be insufficient parking. Mr. DeTrizio expected the bulk of the customers would be coming from the neighborhood. Mr. Gorman believed that there would be substantial vehicular traffic and maintained that prospective tenants did not believe it was viable without the parking. They also opposed neighboring uses such as beauty salons or karate schools because of the length of time vehicles would occupy the spaces. Mr. Forrest asserted that the Shipyard and Shop-Rite plaza were very busy with similar uses and limited parking. Mr. Gorman reiterated that it would be difficult to find tenants.

Vice-Chairman advised that the matter was ready to go before the full Board. He commented that the building should look more like Hoboken. Mr. Johns discussed the building's compliance with the ordinance.

Mr. Holloway requested that the revised drawings be supplied to the Board as soon as possible. Mr. Venino asked what the Board was looking for to achieve the Hoboken look. Mr. Monaco asked that it be more in character with the neighborhood and for the architect to provide detailed color renderings.

105 13TH STREET

Gregory J. Czura, Esq. appeared on behalf of the applicant. Rick Jones was the project architect.

Mr. Holloway reviewed the completeness items raised in the October 5 Burgess report. There are no variances required for the project. Mr. Holloway noted there was a recommendation for the applicant to appear before the Historic Commission prior to coming before the full Board.

Mr. DeTrizio found the wireless towers unattractive and asked if they could be camouflaged. Mr. Czura informed that there would be a covering made to look like the brick of the building.

Mr. Holloway further discussed the completeness items raised in Ms. Banyra's report. Mr. Czura stated that the building owner's consent, tax certification, and comprehensive report have been provided to the Board. Mr. Czura stated that a waiver was requested for providing a map of all existing and approved tall structures within one mile of the site. Mr. Holloway recommended that, after appearing before the Historic Commission, the applicant make any requests for waivers.

Ms. DePalma requested that twelve full sets of documents be submitted to the Board. Vice-Chairman Monaco informed that the applicant would appear before the Historic Commission on November 8 and then return to the Committee on November 10.

901-903 HUDSON STREET

Robert Matule, Esq. appeared on behalf of the applicant. He noted that he had not yet received the report from the Board Planner. Mr. Matule stated that there was a recent change to the ordinance which may impact the applicant's request for Minor Site Plan Approval, therefore, the applicant may withdraw that request and ask to classify it as a Minor Subdivision.

Mr. Holloway indicated that he would need to review the matter in more detail and asked for written notification of the withdrawal of the matter. The Committee discussed the documents that were submitted. Mr. Holloway requested the applicant provide signed copies of the surveys.

ADJOURNMENT

There being no further business to attend to, this meeting adjourned at 8:20 p.m.

Respectfully submitted
AudioEdge Transcription, LLC

Matthew Hoffman
Manager of AudioEdge

A meeting of the Hoboken Planning Board Subdivision & Site Plan Committee was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Vice Chairman Monaco called the meeting to order and noted for the record that the provisions of the Open Public Meetings Act have been complied with.

ROLL CALL:

Present: Vice Chairman Monaco, Mr. Forrest.

Also present: Michael Hillman, Esq., Board Attorney, Eileen Banyra, Planner and Glen Lines, Board Engineer and Cathy DePalma, Board Secretary.

105 13TH STREET/WIRELESS

Minor Site Plan

Mr. Rick Jones of MTM Design Group, Inc., architect for the record, spoke on behalf of the applicant.

Ms. Banyra, Planner, stated that she was not at the meeting but she did review the minutes and it appeared to her that Omnipoint Communications did satisfy the letter in terms of completeness items. However, they have not been to the Historic Preservation Board.

Ms. Banyra also stated that there was a request for the applicant to bring in a sample of the materials to be used for the stealthing as the area involved is in a Historic District. Ms. Banyra stated that she conveyed this to the attorney and advised the attorney that they will not be deemed complete until that information was provided.

Mr. Jones responded that they were on the agenda but the Historic Review Committee Meeting was postponed on Monday.

Mr. Forrest asked Mr. Jones if he had what was presented at the last meeting with him tonight.

Mr. Jones responded he did not. Mr. Jones said that at the last meeting they just went through a laundry list of things that they were talking about and they never went back to the drawings. The original drawings did not have any stealthing in them. Mr. Jones said they did revise the drawings to include the stealthing and he presented the latest drawing to the Board. Mr. Jones believes the latest drawings were submitted by Attorney Czura's office.

Mr. Monaco asked if that was the best they could do as far as stealthing because it looked like another building on top.

Mr. Jones responded that in this case, for the height, yes, this was the best they could do. Mr.

Jones stated that to meet some of the requirements they had to go off the edge of the roof. The further back they go from the edge of the roof the higher they have to go for their purposes, and it's just the nature of the technology. Mr. Jones stated they are still lower than the existing penthouse that's already there.

Mr. Jones was asked if they could attach to the penthouse and he responded that the penthouse was too low and too far back.

One of the Committee members stated that in the drawings it looked like a huge brick faux on a really attractive cornice treatment on top of a building.

Mr. Jones said that it was recommended by Shippo (phonetic) to stealth and to try to move it back as far as possible. Mr. Jones stated they did move back 2 1/2 feet and up about 1 1/2 feet from what they had previously submitted.

One of the Committee members asked if there was anything Mr. Jones could do in terms of the stealthing that makes it visually better because by looking at the drawing it looked like a brick box.

Mr. Jones responded that the minute you put a stealthing up it begins to look like another penthouse. Mr. Jones also stated that from the advantage points that are available you're really not going to see the base of this for the most part.

Mr. Jones said the stealthing will look like a penthouse and how much you're going to see will depend on the foliage. Mr. Jones stated that this one corner is the only area you would see for the street.

A Committee member asked Mr. Jones if he had a roof plan with him.

Mr. Jones responded that he did and produced it for the Committee members to view. Mr. Jones reminded the Committee that once you start putting stealthing on it gets more massive.

Mr. Jones said that some Township Boards have actually gone the opposite direction and decided not to request any stealthing because the antennas do tend to be less obtrusive when they're not surrounded.

A Committee member asked if they couldn't hide it under the cornice.

Mr. Jones responded that it becomes too low.

Mr. Jones stated that one of the reasons they went to this particular building is because it is technically outside the Historic District. And, even though the two buildings are connected as one building this part is outside the line of the Historic District.

A Committee member stated that they have looked at other applications where the stealthing looks like a chimney and this one looks like an apartment. He asked why it doesn't look like a chimney like all the others.

Mr. Jones responded that part of the problem is that when you're mounting on structures, if

you can go into the corners and mount, where there are parapets that come up, you can then hide the steel and put up a smaller enclosure which looks like a chimney. But, in this case, they are lacking the parapet and there is no place to hide the steel required for the antennas. Mr. Jones said that if they did some kind of an enclosure that looks like a chimney the steel base would be exposed instead of the antenna.

Two Committee members inquired whether they could enclose the steel with the stealthing.

Mr. Jones responded that they could but the steel goes across the entire span of the building, back and forth.

A Committee member asked why they had to have this square frame.

Mr. Jones responded that the nature of the structure of the roof will not allow it to carry what needs to be carried for the antennas. Therefore, there is a span from parapet to parapet, all the way across, from 13th Street and back to the adjacent building.

A Committee member asked how far above it was.

Mr. Jones responded that typically it rests on the top.

A Committee member asked if instead of going all the way across the rooftop if they could just go up each antenna as a chimney.

Mr. Jones responded that the reason they wouldn't do that is because then you would have four separate stub-ups, at least 18 inches to 2 feet.

When asked by a Committee member why they were 10 feet apart Mr. Jones responded that was the requirement of Omnipoint.

Mr. Jones stated that they moved it back from 13th Street. Originally, they were closer and the antennas were lower but when the business in the building asked them to move it back they had to raise it up slightly. Mr. Jones noted that it is still below the existing penthouse.

A Committee member asked the Planner, Elizabeth Banyra, if the Committee was allowed to recommend something different from the building owner.

Ms. Banyra responded that she does not know the answer to that. But, she did state that the Board could differ from the Historic Committee because they're advisors to the Planning Board. Ms. Banyra also stated that these plans looked new and she doesn't know that the Board has seen them before.

Mr. Jones stated that these plans are the revised ones that were submitted.

Ms. Banyra said that these plans would have to be resubmitted prior to the Committee deeming them complete because they are different from what the Committee has.

Discussion continued regarding the appearance of the stealthing and having it conform more to the architect of the building.

Mr. Jones said the equipment was in the basement with access through an alley to the rear of the building.

A Committee member recommended that Mr. Jones get before the Historic Commission as soon as possible for their approval or recommendation. This way he can come back to the Committee with the complete plans. The same Committee member also stated that as of now they can't even deem these plans complete.

Mr. Jones confirmed that the Committee needed from him the most recent set of plans and a set of revised photo simulations to try to show smaller boxes.

Mr. Monaco stated that this application will be carried to the next meeting.

409 1ST STREET/WIRELESS

Minor Site Plan

Mr. Neil Carr from Pitney Harden spoke on behalf of New Cingular Wireless. Mr. Carr also had the civil engineer present to answer any questions if need be.

Mr. Carr stated that the first time he was before this Committee there was discussion about locating the equipment in a different format in the backyard to try to maximize the space and to do some additional work on the antennas at the front of the building.

Mr. Carr presented the Committee with revised plans and went through the revised configurations with the Committee members. Mr. Carr explained how the old plans had the backyard chopped up with a smaller L piece lot and the new configuration maximizes the back porch into the backyard.

When asked about the roof options for the equipment Mr. Carr responded that it was basically denied by the property owner.

Ms. Banyra stated that there would be more variances because of the backyard being used as opposed to the roof being used for the equipment.

Mr. Carr responded that the property owner was made aware of that but still insisted the roof was a firm no for the equipment.

Ms. Banyra asked if the structural integrity of the roof was checked.

Mr. Carr responded that the roof definitely can't hold it. Mr. Carr said he has called out for some structural probes and the roof is not structurally sound.

Mr. Carr also stated they don't use the wood deck at all and none of this stuff is dependant on the wood deck. It's a very old building and you can't really depend on any of that.

Mr. Carr asked the Committee members if they would like him to come up with something

else to come back with.

Ms. Banyra responded that Mr. Carr should go to the next Zoning Board meeting, ask for any additional variances, bring the revised plans and new photos and basically argue it from there.

801-831 MONROE STREET/800-803 MADISON STREET

Preliminary Site Plan

Attorney John Curley spoke on behalf of the applicant. Ivan Ilyashov of the architect firm of Gruzen Samton was also present.

Attorney Curley said that this was an amended site plan approval for 801 Monroe and 800 Madison, Block 88, and it is in Zone 1 of the northwest redevelopment area. Attorney Curley was happy to say that the condemnation went forward on the property on the corner. Attorney Curley said they were prepared to close Title on most of the block in December. And, at that point in time, they will be in a position to file a Deed with lot consolidation as set forth in the resolution granting a final site plan approval. Attorney Curley noted this was one of the conditions.

The architect, Mr. Ilyashov, described the changes that were made to the plans from the time that the final site plan approval was granted. Mr. Ilyashov stated the first change made was to the interior corridor layout.

Using exhibits, Mr. Ilyashov showed the typical upper level of the apartments and how the changes created a bit of a domino effect which was reflected in how the exterior elevations and apartment sizes had changed as part of that effect. Mr. Ilyashov displayed the amended plan and the approved plan that was submitted, side by side, to be better able to point out the changes.

Mr. Ilyashov pointed out the extent of the corridor system and apartments being floor-throughs which separated the corridor system. Mr. Ilyashov stated that the Fire Department object to that situation. The Fire Department wanted to be able to move freely, in case of a fire, from one corridor system to the other.

By installing fire doors it changed the apartment's configuration layout toward the street and other parts too. Mr. Ilyashov said as they developed the design the apartment mix had adjusted. It would still be 220 apartments, except rather than 40 one-bedroom apartments and 180 two-bedrooms there would be 10 three-bedroom, about 91 one-bedroom and 118 two-bedroom apartments.

Mr. Ilyashov used exhibits of the final and preliminary approval elevations to point out the amendments made to the exterior of the building.

There was discussion and questions amongst Committee members and Mr. Ilyashov regarding the changes made to the exterior of the building.

A Commissioner opined that the changes to the facade made it look like one big building as opposed to what they approved which looked more like row houses.

Mr. Ilyashov stated that the removal of some of the balconies on one side of the building was a drastic change but because of the new apartment layouts it had to be done.

Mr. Ilyashov also stated that they had originally conceived the plans to break it in the middle but by accommodating the Fire Department and Building Department the apartment layout was compromised.

There was lengthy discussion back and forth regarding the balconies and parapets.

Mr. Ilyashov reviewed the changes made to the stoops with the Committee. Mr. Ilyashov said that on the original submission the stoops came up, there was a landing, the doorway was flush with the wall and then there were three more steps inside the apartments. The changes consisted of bringing the steps up to the face of the building and the landing would be in a covered space with a recess at each entryway. Mr. Ilyashov said the change is a covered doorway at each apartment with lighting added.

Mr. Ilyashov stated that additional french balconies were added to the interior courtyard. Mr. Ilyashov said that along the west interior courtyard there were 16 balconies originally, and now there are 32 smaller ones.

Mr. Ilyashov stated that there is a list submitted with the application of all the changes.

Attorney Corey inquired into the pump houses that were previously discussed but not resolved. One area in questioned was the corner of 8th and Monroe, and to mirror the pump house for the Monroe Center. There was also a question of whether there should be a pump house at the corner of 8th and Madison.

A Commissioner stated that he sees no reason for them and he seems to remember a sort of debate as to whether they would be useful or not at that location.

Ms. Banyra didn't remember how that was resolved. She did agree that it was a question of what was consistent across the street.

There was discussion amongst the Committee on this matter and it was agreed they would look into it further.

The last item discussed on this application was the transformer. Ms. Banyra stated that this was a recurring issue, and the idea was to locate it underground. Ms. Banyra said she still has not received a letter from Attorney Corey stating that PSE&G would not come in and do that. Ms. Banyra also stated that she understood Attorney Corey was having a difficult time getting anyone at PSE&G to sign such a letter.

Attorney Corey stated that in the changes he had shown two separate underground vaults as opposed to the original one underground vault. Attorney Corey said their preference was to put it underground but they have not been allowed to do so at other locations. He did state he will get something in writing.

Ms. Banyra and Attorney Corey discussed the issue of the paving and the statutes of the

resolution on it.

Attorney Corey stated that since there are no new variances on this application he did not have to give notice to owners within 200 feet.

901-903 HUDSON STREET

Minor Subdivision

Attorney Robert Matule appeared on behalf of the applicant. Attorney Matule stated that at the last meeting it was discussed that the application was being amended to eliminate the request for minor site plan approval and a variance, and the applicant was just going to go forward with the subdivision application.

Attorney Matule said he was asked to supply the Committee with copies of the survey and a letter to the Board Secretary confirming the fact that he delivered sealed copies of the minor subdivision plot to the engineer, and he did.

Attorney Matule stated that he was asking the Committee not to act on the matter at this meeting but to just classify it as a minor subdivision so he can submit a corrected plot to the Board for their next meeting.

Attorney Matule had the letter dated September 27, 2005 from the engineer which itemizes about 24 individual points and he felt that probably five of those dealt with the subdivision aspect.

Ms. Banyra said in changing between a minor subdivision and a major subdivision, by statute, the requirements are an extension of the utility services, extension of a road, fronting of the road, if you don't have road frontage and the number of lots being created. Ms. Banyra stated that since the applicant is only creating two lots some of the previous mentioned items would not even be necessary.

Ms. Banyra said that neither she nor the engineer reviewed this as just a subdivision application.

Attorney Matule stated that two separate documents were submitted. One was a survey and the other was a subdivision.

Ms. Banyra said that the subdivision should be the survey as one document.

Attorney Matule responded it's set up on a separate document because one document has a signature block for the engineer and the Board. Attorney Matule said the survey does not have the proposed assessment. Attorney Matule stated he will get a corrected plot with the requested notations to the Committee in plenty of time before the next work session.

Ms. Banyra asked Attorney Matule why the reclassification was being done now.

Attorney Matule responded that the Board has 30 days to classify it and the 30 thirty days was coming up on November 13, 2005. Also, it was in accordance with the ordinance which is 30

days from the submission of request.

Attorney Matule said if he knows its going to be classified as a minor subdivision then he can have the surveyor put the appropriate notations on the new plot for submission.

Mr. Forrest made a motion to approve.

Mr. Monaco seconded the motion.

Roll Call: Unanimous vote of aye.

1320-22 ADAMS STREET
1321-31 JEFFERSON STREET
451-57 14TH STREET

Preliminary Site Plan

Attorney Richard Venino spoke on behalf of the applicant, Michael Gorman.

Attorney Venino stated that at the last Committee meeting they were determined to be complete. At the Committee's suggestion, Attorney Venino and the architect, Mr. George Johns, came back to talk to the Committee a little bit more about the design.

Mr. Johns stated that they tried to get the affect of what would blend in with Hoboken. Mr. Jones used exhibits to show the change of raising the ceiling height of the stores and still giving the effect from outside of a two-story building. The roof would pitch to the rear and not be seen.

Mr. Johns stated that they have not changed the size of the building or the number of parking spaces.

There was discussion as to if a bank went into the building and the location of an ATM machine.

Ms. Banyra didn't think that would be a problem as long as the ordinance is followed. She believes the calls for something happening every 10 feet, whether it's a door or some other kind of movement of the building or some kind of change.

Mr. Johns stated that the rear of the building is a service area with a dumpster and a loading dock with an inside corridor with access to all of the stores.

Attorney Venino stated that the engineer has been in touch with PSE&G to see if they would be allowed pole-mounted transformers but PSE&G has not yet responded.

Attorney Venino stated that an underground transformer would be a cost prohibitive option for this size project.

One of the Commissioners asked Attorney Venino to at least explore an underground

transformer and advise the Committee of the findings and the cost as opposed to pole-mounted or surface-mounted.

Ms. Banyra asked Mr. Johns and Attorney Venino about the lighting plans and the wattage.

Mr. Johns used the exhibit to show what lighting was intended.

Attorney Venino stated that the owner has considered asking PSE&G to come in and suggest a design after being given parameters on the wattage.

Ms. Banyra said that along the street perimeter of the building 150 wattage would be over kill. She said as far as decorative lighting because you already have the street lights. Ms. Banyra also said that they have been reducing wattage to 70 and found that to be more than acceptable.

Ms. Banyra stated that there is additional landscaping required at the front of the building where the parking lot will be. The ordinance calls for screening so you're not looking at the front of the parked cars. The plan calls for a commercial to have a three foot high buffer.

Ms. Banyra also stated that the applicant would also have to provide irrigation.

Ms. Banyra stated that the Committee would then require a maintenance bond for a period of two years to ensure that the plants maintain themselves.

A Commissioner made a motion for this to go to the full Board on December 6, 2005.

Roll Call: Unanimous vote of aye.

ADJOURNMENT:

There being no further business to attend to, this meeting was adjourned at 9:00 p.m.

Respectfully submitted,

AudioEdge Transcription, LLC

MATTHEW D. HOFFMAN
Manager

Hoboken, New Jersey, December 8, 2005

A Meeting of the Hoboken Planning Board Subdivision & Site Plan Committee was held on the above date in the Conference Room, City Hall, Hoboken, New Jersey. Vice Chairman James Monaco called the meeting to order at 7:06 p.m. and noted for the record that the provisions of the Open Public Meetings Act were complied with.

ROLL CALL:

Present: Vice Chairman James Monaco, Mr. Nicholas Detrizio, Mr. Peter Cammarano

Also present were Michael Butler, Esq., Board Attorney; Ms. Eileen Banyra, Board Planner; Chas Holloway, Board Engineer

Ms. DePalma declared a quorum present.

2-14TH STREET

Barbara Stack, Esq., for Shipyard Associates, the owner of the building indicated that they have a de minimus change in the preliminary site plan agreement for the shipyard, which the Board banned in January of '97.

Ms. Banyra related that she had previously spoken with Barbara Stack on the phone about the roof soddering improvements and indicated that there does not appear to be any variances required on the proposal. Mr. Banyra further set forth that what the Committee has reviewed pertaining to the proposed roof soddering improvements is, in fact, a de minimus change. She reiterated that rules state that such a matter is within the jurisdiction of the committee, which can vote on it.

Ms. Banyra reminded applicants and attendees that if they felt there was a matter of concern beyond de minimus, then it moves to the full board. Ms. Banyra stated that applicant's attorney was asked to go through this process before the committee because additionally proceeding in this particular manner facilitates the process from the zoning officer and construction official as well.

The Architect Thomas McGinty addressed the Committee. He reminded and made known to the Committee that he had prepared the original zoning submission as well as the modification. He advised that within the current mechanicals, he used the same zoning criteria as was approved and just added the keys to this submission. Mr. McGinty pointed out to the Committee that everything, all the front sheets, all global parts are exactly the same; that essentially, on behalf of the

applicant, we've done a modification in the roof plan.

Mr. McGinty continued, advising the Committee that the roof plan modification is called SP-11A; and directed the Committee to the showing of the bulkhead on the roof; and stated that for mechanical reasons, and also relative to this terrace that is being added to one of the apartments below, that the apartment was previously depicted on the lower floors as a duplex apartment. The area of this duplex apartment had a stair in the original configuration going up the roof, Mr. McGinty pointed out.

Mr. McGinty stated that the subject plan had never really shown any roof plan per se because at that stage, the drawings were very preliminary.

Mr. McGinty began to point out the portion of the building on the mechanical which was a large barbeque element already on the original plan. Ms. Banyra inquired about the number of originals presented with respect to aspects depicted. Mr. McGinty replied that the original Sovereign aspect with proposed modification they had made as per the Sovereign submission had come back.

Ms. Banyra inquired of Mr. McGinty as to whether there had been actual discussion pertaining to the barbeque area. Mr. McGinty replied that nothing had been really discussed. But he added that the trellis and a lot of the elements are on those original plans. He further added that the roof plan had not been prepared at the original submission so some of the elements had been shown by elevation.

Mr. McGinty advised that he doesn't really think the appearance is changing from what was shown and seen. That this element was always there. Mr. McGinty pointed out that the trellis now is facing the water side rather than the other side and that there's also an additional fireplace. Mr. McGinty presented the bulkheads as what was shown in the original submission as well and lastly stated that the above is really the extent of this submission.

Finally, Mr. McGinty mentioned his preparation of a companion memo to the current drawings indicating the amount of square footage dedicated to the bulkheads on the roof, also contained the square footage dedicated to both the north and south wings. Mr. McGinty let it be known further that the figures would reflect less than ten percent and on a combined basis. Mr. McGinty forecasted the features on the roof to be one or less than one percent of the actual roof area of the entire project. He wrapped up by stating that he thinks it is a very de minimus change.

Ms. Banyra advised that she does not recall seeing a fireplace, a barbeque pit. She does recall, however, seeing the trellis area. Ms. Banyra mentioned that these particular plans did not end up before the Board because it was commented that according to what was shown when the applicant parties sent advance proposals, that the Committee would vote on it.

Mr. McGinty noted that the barbeque is really incorporated into the fireplace breast that was always shown on the building. He explained that there was a fireplace down in the original apartment and that extended up. Ms. Banyra inquired as to whether the proposed fixture was a gas fireplace. Mr. McGinty responded that he believes it would be a wood barbeque in that he is aware that gas is not really permitted anywhere in town.

Ms. Banyra spoke about an appearance of a separate kind of a realm; that the bulkhead was really for the purpose of an elevator; and that to have a powder room in that location would be like a room. Ms. Banyra drew a comparison that most of the other things they were talking about are open, recreational.

Mr. McGinty stated that the feature was a convenience. The applicant's engineer, Mr. Andrew Hipolit stated that certainly, if everyone is uncomfortable with that idea, there's certainly plenty of bathroom space downstairs in the duplex.

Ms. Banyra asked for confirmation that there is an elevator that goes all the way up and as well as the stairs. Mr. McGinty advised that there were stairs, and that the elevators stop on the 12th floor in the building. Ms. Banyra outlined that from her perspective with reference to certain of the amenities being discussed, that she wanted to exercise due discretion to distinguish between a living area element and a recreational area element. She pointed out she's not sure that there's anything ordinance-wise, but that the Committee wants to work with a recreational area, as the applicant and representatives have indicated.

Ms. Banyra set forth that she does not think the Committee has had barbeque pits or fireplaces in its realm. She stated that she feels uncomfortable about moving into a structural or living element that is proposed actually as recreation.

Mr. McGinty reminded the Committee that the subject space is just all office space. He pointed out that there are fire stairs up for the mechanic and elevator room. He reiterated that the stairs that are coming up are just the staircase that comes up to the space. Ms. Banyra asked for clarification regarding the staircase to the roof. Mr. McGinty offered that the one storage room which had been somewhat proposed for the bathroom would be putting a room from the apartment on the roof.

Vice Chairman Monaco asked whether both buildings on the drawing represented Sovereign. Mr. McGinty responded that he was showing the whole shipyard and that The Constitution and The Independence are two buildings. Mr. McGinty further responded that there is Sovereign South and Sovereign North with a parking garage in the middle with the landscaped roof deck. Vice Chairman Monaco asked, "And you're only constructing a roof, a hot tub, and salon on one of the towers?" Mr. Hipolit responded that he had done analysis; and that one could see on the analysis of the square footage on the north wall and on the

south, on both, whatever way you look at it. He advised that the square footage is still less than the bulkhead. Mr. Hipolit explained that the bulkheads are less than ten percent and are very deminimus with respect to their looking at the overall roof of the entire project.

Mr. Detrizio stated he believed the only issue was really the fire safety considerations. He inquired as to why a recreation area that big with a wood deck would need to have an open fire up there. Mr. McGinty assured the Committee that he designed it from a safety point of view. Mr. McGinty further offered that it is very commonplace on a number of his projects that they have barbeque pits, and they are charcoal only. They're no different from what people use in the park.

Mr. Hipolit noted that there's only a roof manifold up there to fight a fire on the roof and certainly can extend the branch back directly so it's right here on this roof. Mr. Detrizio asked what the Fire Department said about this. Mr. McGinty advised that the Fire Department had not been sought as yet because code-wise he has great familiarity due to experience with all the other projects.

Mr. Detrizio asked for clarification that Mr. McGinty is specifically referring to a barbeque pit. Mr. McGinty advised that the subject of this discussion is a fireplace with a barbeque pit, both. Mr. Detrizio explained to Mr. McGinty that if the subject of discussion had been a barbeque grill with charcoal only, which he had seen a hundred times, it would be different. Mr. Detrizio contrasted the open pit fire and further advised that for open fires one would have to seek approval before the Fire Department.

Mr. McGinty offered that the Fire Department would ask whether the Building Department would use or allow the feature. Mr. McGinty offered further that he hadn't been to the Building Department before. Mr. Detrizio replied that Mr. McGinty may very well have a problem with the fireplace, and all may say they don't want an open fire place on the roof.

Mr. Hipolit offered that he's sure the Fire Department can look at that. Mr. Hipolit pointed out that there is the roof manifold present and showed it on the drawing. Mr. Hipolit added that if there is a fire, the Fire Department is going to come up here to this unit, hook up their hoses like they would do on the normal roof, and put it out.

Mr. Detrizio asked for clarification on the size of the toilet that was designed as a proposal. Mr. McGinty responded that it was just proposed to go in that storage area, so it was just a toilet. Mr. McGinty added that he felt it was just an afterthought that since there's a storage room there; why don't we just put a bathroom up here so you don't have to go back downstairs if you're up here.

Ms. Banyra mentioned that there has been a policy of the town about these decks,

although it's not an ordinance, sometimes the roof decks are frowned upon.

Ms. Banyra called for the exercise of caution about what the Committee approves on the roof. She asked for overall deep forethought keeping in mind that these features the Committee will be reviewing and seeing again. Ms. Banyra directed attention to consideration of setting a precedent.

Mr. McGinty advised that he wanted the Committee to know that he has a very clear understanding of the issues at hand since he communicates by phone with Bobby Falcone (phonetic), with frequent calls to them and our tenants. Mr. McGinty related that their tenants have little balconies because we have all these balconies on the building. They have barbeque grills and a lot of them go out and get the propane and it's in the lease. Mr. Detrizio clarified that actually it is a signed line you initial in the lease. And then, Mr. Detrizio added, there is a need to call Bobby Falcone and have him pester them to get rid of it because that's extremely dangerous.

Mr. Hipolit related that it's the same. That the barbeque with the charcoal is permitted and if something happens with the fire with that, they just come and put that balcony fire out. Ms. Banyra stated she's not worried about the charcoal because, charcoal is not an open flame log burning. It's different. Ms Banyra added as well, there's also a visibility that when you look at it across the water, you would see a fire and fire anywhere, it illuminates.

Mr. McGinty set forth that although it is up to the Board one way or the other, he further set forth that this is one of the owner's apartments. Mr. McGinty offered clarification to the Board for consideration in that an owner burning down his asset that would not be prominent in the owner's mind, that rather not doing so would be, as opposed to a tenant.

Vice Chairman Monaco inquired as to the square footage of the apartment. Mr. McGinty advised that the apartment is two floors, close to four-or-5,000 square feet.

Mr. Cammarano offered and reiterated that the Committee has to consider the setting of a precedent in this regard. Vice Chairman Monaco inquired about a bathroom and kitchen. Ms. Banyra offered that is easy to do because the utilities are there now, but that's not really what it was designed for. Ms. Banyra reasserted the key word as "recreational"; we've done recreational roof tops before, but the bathroom, to me, it really is an extension of the apartment in this case, and I'm not sure that I'm comfortable with that.

The Committee raised a concern about smoke emission from the chimney and any level of interference from that act. Mr. McGinty asserted that the fixture would process ten feet above the roof.

Ms. Banyra inquired about water due to irrigation of the landscape greenery. She inquired further as to whether there was a spicket there. Mr. McGinty advised in the affirmative. It was further mentioned that water would be needed to clean the roof.

Ms. Banyra put forth a question as to the other sink and an outdoor kitchen up there at the premises. She called for a distinction to be made before plumbing and fixtures are installed that there should be no habitable space on the roof and once again repeated and reiterated that the roofing portion is going to be used as a recreational area. The Committee and Mr. McGinty concurred.

Ms. Banyra then inquired as to a sequence of work events before the area gets enclosed. She recalled the earlier discussion of a few moments ago about experiences in other similar recreational roofing projects and inquired about what is the usual sequence, how it all happens. The committee inquired as to whether this was just an outdoor scene. Mr. McGinty advised that it was an outside scene and that at this time of year, all plumbing would be shut off and drained. Ms. Banyra clarified, so, it will be open, there will be no walls or insulation around it. Mr. McGinty responded in the affirmative and restated that the area would be shut down in the winter.

Backtracking, Ms. Banyra drew attention to the glorified spicket with a sink attached to it. She then asked for confirmation that this is the room where the toilet can go, but that there's a storage room there already. She inquired if it could be reduced in size? Mr. McGinty responded that, no, because that was just part of the regular bulkhead and that room is already built in that configuration; so it would just remain a storage room. Ms. Banyra set forth that that's really what the recommendation is to keep the room, useable space as a storage room. Mr. Banyra counseled that anything that kind of looks, feels, and smells like habitable space, should be cut off and separated since the intent here is not a penthouse apartment.

Vice Chairman Monaco observed that a phasing of the language into the resolution was desirable. That any little statement that we make toward lending specification may be helpful. The Committee agreed. Mr. Vice Chairman set forth that it had been motioned to treat this as a de minimus change and approved by this Committee.

Attorney Stack inquired as to whether the Committee approval constituted the Board approval. Ms. Banyra reiterated that the matter had been the domain of the Committee in that there are no variances involved. Ms. Stack inquired as to her own personal receipt and possession of the most recently approved plans. Ms. Banyra announced that the revised plan should be submitted during December, which should reflect tonight's discussion concerning the bathroom.

Mr. McGinty advised that the proposed bathroom mentioned during this hearing session was not actually shown on the drawing plans. At this time, Mr. McGinty

offered a set of plan drawings that did not contain the bathroom proposal. Mr. McGinty further explained that he had a whole new set; that what he had done was shown set that was approved to this building and had revised the pages that were pertinent.

Ms. Stack offered that what Mr. McGinty should probably do is provide whatever number of steps needed, let the engineer check whatever he needs to check to make sure that they're in compliance with the other set, which you'll attach and then everybody signs them.

Motion was made by Mr. Detrizio to accept the plans as discussed and specified by the Committee this evening and seconded by Mr. Cammarano.

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Robert Matule, Esq., appearing on behalf of architectural firm Minervini-Vandermark, Architects for the Applicant, Orren Grushkin. Mr. Matule indicated that he had advised, and expected to see Mr. Minervini here this evening to discuss and represent the report at hand. Mr. Matule advised the Committee that he had transmitted to Mr. Minervini a fax this morning with the report, which he, Mr. Matule, himself had previously received by e-mail. The report was referred to as "Eileen's report." Mr. Matule announced that he had been informed that most of the issues that were raised in the report now have been addressed.

Ms. Banyra advised that neither her nor Ms. DePalma had received any revisions as per the report, so she was concerned as to how Mr. Minervini addressed the issues in the report, or whether there is an intention to verbally address them. She offered to go through the present issues.

Ms. Banyra noted that the Committee's recommendation is that the application is incomplete. That a lot of information is provided, and it's basically a good plan in terms of detail; however, a really important detail that's not included in the plan is the exact location of the building. Ms. Banyra continued that when you look on Page D-2, there are notes all over D-2 about the extent of the adjacent building's encroachment; and that this will be verified in the field.

Ms. Banyra continued that Mr. Matule's client in this matter is looking for two variances. One for building coverage and one for the number of stories. Ms. Banyra set forth that three stories are permitted and meet the density requirement; but because of the building encroachments from the adjacent property, that the building cannot be built the way it is currently represented on this plan. Ms. Banyra disclosed that she had spoken to Elizabeth Vandor and had previously apprized Mr. Matule of this.

Ms. Banyra reiterated that the Committee needs accurate plans. Ms. Banyra further set forth on behalf of the Committee to Mr. Matule that the lot coverage may change based on where the exact building goes because of the encroachments which are pushing over.

Mr. Matule advised that it was his understanding that the survey showing the degree of the encroachments are zero-whatever-feet. He called attention to his understanding being that this encroachment issue is a matter of inches and had been addressed when the building was actually built by a modified wall. Mr. Matule represented that if there is still an encroachment, our building wall is going to have to be made narrower there and not wider. Mr. Matule advised that the reality is that the overall bulk of the building, if anything, will be less, not greater, as a result of these encroachments.

Ms. Banyra continued with reference to a note on Page 2, for example, we expected the adjacent buildings to be verified if you have an accurate survey. The survey should be verified or appealed, and if the survey is not accurate, then you will note that you need an accurate survey. Mr. Holloway added that he felt that the notes above referenced may be architect CYA language.

Vice Chairman Monaco set forth that information was needed regarding elevation. Mr. Holloway further reminded Mr. Matule that his client needs to tie the survey and the location together. The Committee then raised the issue of the backyard of the premises. It's shown on the plan that you're raising it two feet and there's no information on what's on the adjoining property.

Ms. Banyra further set forth that there is another one of the issues from the review letter regarding the separation of building coverage from decks and other appurtenances, which the Committee had requested to be addressed. Ms. Banyra again mentioned that she had spoken with Elizabeth Vandor concerning this separation relative to what was found at the Public Zoning Department and with the building officials.

Ms. Banyra acknowledged that the above statistic is sometimes reviewed differently between Building Department and Zoning. She is requesting that it be broken down so that if the Board sees fit that they want to grant the extra two percent that they know what the extra two percent is related. Ms. Banyra would like clarification as to the two percent figure being building coverage, and then on top of that, the decks, which are counted as coverage. Mr. Monaco inquired of Ms. Banyra as to whether the decks were inclusive in the term, "coverage." Ms. Banyra responded that it was 62 percent coverage inclusive of the decks, but that she wasn't clear that all of the decks were included.

Mr. Detrizio suggested that they change the terminology for clarity. He suggested that the Committee advise the applicant of how big the building is supposed to be

rather than the lot coverage terminology. Ms. Banyra advised that was what she had asked for the calculations to say, building coverage. The Committee discussed that the decks are considered the building and we're calling it "lot" coverage when it's actually "building" coverage.

Mr. Matule joined the committee discussion and mentioned he thought for clarity, that the term, "building coverage" was not needed. He said he understood what all were saying; but in the Codes, "building coverage" is not talked about. Ms. Banyra said she knew that was correct. Mr. Matule stated that he understood what was being said but that he found it interesting that Ms. Vandor counted balconies or decks as part of lot coverage. Mr. Matule continued that he thought part of the problem to a certain extent is the architect is now trying to address that, lumping all appurtenances together.

Mr. Matule stated that he thought the simplest way to do it is to say that the total lot coverage is 62 percent, consisting of building coverage of 60 percent, and the deck of two percent.

Mr. Matule and Ms. Banyra then discussed that the upper floor balconies are four by ten. They had a discussion as to whether 7 feet 8 inch-stairs were included as the deck calculation. Ms. Banyra advised that they're included, but that they're a lesser number. Vice Chairman Monaco advised that he understood and that clarification should be obtained on that.

A committee member advised that there was some difficulty, based on the floor plan, walking in the front door and getting the use of the unit. Mr. Matule again asserted that issue would have to do with the survey plan. Mr. Holloway then asserted that an experienced planner needed to be consulted. He suggested there may be an error or something on where a doorway is shown. Mr. Holloway advised that he could not follow how to get in and out of each unit.

Mr. Holloway further stated that he thought that on the ground floor there was a lift for the handicapped, but that it is not clearly identified.

Discussion then turned to the stairs going off the back deck as per a drawing and part of the discussion was that so much had been penciled in. Discussion then returned to how the Committee had put everything in the report to be addressed so that it would get done once and be done with it and maybe there would just be little clean up items after that. Ms. Banyra mentioned that another possible variance that the Committee noted is access to the rear yard.

Mr. Matule advised that he sent an e-mail to Ms. Vandor on the rear yard issue because when he read the ordinance, it didn't say to "all" occupants of the building. It just says to "occupants." As a practice matter, almost every three or four-family building that's built in Hoboken on a 20-or-25-foot wide lot with zero side yards,

only the person on the ground floor can get into the rear yard unless it's built on the parking.

Ms. Banyra advised that she also had spoken to Ms. Vador concerning the rear yard access issue when preparing the report. Ms. Banyra shared Ms. Vador's comment that what happens in terms of ownership afterwards we have no control over. Access to the rear yard, even just for maintenance, it says for all specific building and for maintenance, that's a requirement of the ordinance.

Discussion took place regarding the parking garage. It was mentioned that Ms. Vador authored the ordinance concerning this aspect, but an interpretation would be sought from the Zoning Board. The discussion turned to whether it would be impractical construction to have everybody in the building able to go to the first floor apartment to get out to their yard.

Ms. Banyra pointed out that concerning the rear yard issue here that she had read the ordinance and confirmed with Ms. Vador that this is a variance. Mr. Matule pointed out that it says, landscape inaccessible, and/or accessible to occupants and for maintenance purposes. Mr. Matule raised the issue of whether you can really make a property owner make the rear yard available to all the occupants of the building.

Further discussion took place traditionally concerning these buildings, and what usually happens is if it's a condominium, how whoever lives on the ground or first floor, usually gets the rear yard. The discussion included that the rear yard should be considered a limited common element. That the quid pro quo for that is that they have to maintain it.

Mr. Matule then asked Ms. DePalma if a letter from Mr. Bavardo (phonetic) was received indicating that the taxes are current through 12/31/05.

Mr. Matule further asserted that as far as he knows, we paid all the fees and escrows that were required to be done. To that end, Mr. Matule then outlined as follows: In my transmittal letter the filing fee of eight-fifty was \$400 for the Minor Site Plan and \$450 for two C-variances; and a 3,000-dollar escrow; it's 1,000 per site plan-without and I think 3,000-with.

Ms. Banyra again set forth that the basic issue that will keep the application in an incomplete mode is the missing building information. Ms. Banyra advises that the rest of the items are cleanup stuff. Mr. Holloway inquires as to whether there is an easement. Mr. Matule responds in the negative. Mr. Holloway further inquired about the kind of agreement.

Mr. Detrizio mentioned the encroachment status and whether it's six inches, three inches, it should be addressed. The discussion on this subject is finalized with the

statement that no court is going to take action on that.

Ms. Banyra inquired as to whether it was known if there was anything written or if you had a survey that noted the encroachment. Mr. Matule advised that usually if there's anything of record like a cross-easement agreement or something like that, it will be noted on the survey in Book and Page such and such.

A brief discussion was had about adverse possession and needing to address it with some type of legalese. Mr. Matule mentioned that it had been explained to him, under the survey, which was done in July, they actually modified the wall. Ms. Banyra advised that she saw the survey date, that's what she didn't understand about that.

Mr. Monaco set forth a couple of comments. He's got front balconies. Ms. Banyra clarified that they are French balconies. There was some discussion about the balconies being French and asymmetrically set, but that they were being shown on the drawing in the top left corner somewhere. That would have to be further discussed with the architect. There was question as to whether those counted as coverage.

Mr. Monaco inquired as to whether the proposed plan included that the top floor apartment, would have a French balcony, a rear deck, a rear balcony, and a roof deck. Ms. DePalma and Ms. Banyra responded in the affirmative. Mr. Cammarano asserted that he thought that was a lot; and reminded the Committee that we haven't been too crazy about roof decks on small apartments. Mr. Cammarano also added that the two percent that the applicant is looking for was thought to be in the balconies.

Mr. Matule advised that he thought the two percent is really being generated by the deck and the stairs to the backyard. There was some ambiguity about the upper balconies, the rear deck and the stairs comprising the two percent. A calculation for the balconies themselves was that they are less than two percent because they don't have the stair calculation in that. Mr. Matule asserted that whether those balconies were up there or not, we'd still be on 62 percent because you need a way to get into the back yard.

There was discussion about soldier costs. There was discussion about eliminating the roof deck and having more traditional corners. Ms. Banyra added that one of the reasons the calculations are needed is the building itself comes at 60 percent. But if you add a full deck, I'm getting it coming in at 66 percent. Discussion took place about adding four decks and the plan depicting the same was called for.

Mr. Monaco asked that this application come back January 12th; and inquired of the Committee as to whether there were any other comments at this time.

ADJOURNMENT:

Mr. Monaco confirms that there is no other business currently before the Board.
Motion made by Mr. Detrizio to adjourn, seconded by Mr. Cammarano

This meeting adjourned at 8:01 p.m.

Respectfully submitted,
AudioEdge Transcription, LLC

MDH/gb

Matthew D. Hoffman
Manager of AudioEdge